

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11108 of 2023

Arising Out of PS. Case No.-336 Year-2022 Thana- BIDUPUR District- Vaishali

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Satyendra Paswan @ Bayas Ji S/o Arjun Paswan R/o Village- Chakosan
(Hasanchak), P.S.- Bidupur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv.
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bidupur P.S. Case No. 336 of 2022 dated 01.07.2022 lodged
under Sections 147, 148, 149, 341, 323, 324, 325, 302, 504 506
of the I.P.C.

As per the prosecution case, the allegation was made
against nine named and ten unknown accused persons that when
informant was returning from the house of *Mukhiya* and reached
near the house of co-accused Kapil Paswan and all the accused
persons armed with *lathi*, *danda*, iron rod and sword had
assaulted and badly injured the informant. It has also been

alleged that all the accused persons have bitten his sister, due to which, she died.

Learned counsel for the petitioner submits that from the contents of the F.I.R., it transpires that there is a general and omnibus allegation against all the accused persons. Nothing specific is there against anyone. The antecedent of the petitioner is clean and he is in custody since 31.10.2022.

It is true that three accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 01.02.2023 & 09.05.2023 passed in Cr. Misc. No. 60720 of 2022 & Cr. Misc. No. 72184 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail and submits that there is an allegation of assault against all the accused persons.

Upon specific query from the counsel that whether charge has been framed or not, counsel fairly submits that as per information, charge has not been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

Liberty is hereby granted that petitioner shall renew his prayer for bail after framing of charge and the Trial Court is

directed to release him on bail imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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